

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

GREEN PRAIRIES, LLC,

Plaintiff,

v.

No. 1:23-cv-1023 MIS/KRS

ROBERT S. O'NEILL,
HIDDEN CANYON, LLC,
ROBERT R. MUNRO, and
RSO 1, LLC,

Defendants.

SCHEDULING ORDER

THIS MATTER comes before the Court following a Rule 16 scheduling conference held on June 18, 2024. At the hearing, the Court adopted the parties' proposed Joint Status Report and Provisional Discovery Plan, with slight modifications, as reflected in the dates below.

Accordingly, **IT IS HEREBY ORDERED** that the parties shall adhere to the following discovery plan:

- (a) Maximum of thirty (30) interrogatories by each party to any other party, with responses due thirty (30) days after service.
- (b) Maximum of forty (40) requests for production by each party to any other party, with responses due thirty (30) days after service.
- (c) Maximum of forty (40) requests for admission by each party to any other party, with responses due thirty (30) days after service.
- (d) Maximum of five (5) depositions by Plaintiff and five (5) depositions by each Defendant. Each deposition limited to maximum of six (6) hours, unless extended by agreement of the parties.

IT IS FURTHER ORDERED that the following case management deadlines shall govern:

- (a) Deadline for Plaintiff to amend pleadings and join additional parties pursuant to Federal Rule of Civil Procedure 15: **June 28, 2024**;
- (b) Deadline for Defendants to amend pleadings and join additional parties pursuant to Federal Rule of Civil Procedure 15: **June 28, 2024**;
- (c) Deadline for Plaintiff's expert reports: **September 16, 2024**;
- (d) Deadline for Defendants' expert reports: **October 15, 2024**;
- (e) Termination of discovery: **January 15, 2025**;
- (f) Deadline for supplementing discovery/disclosures: Due within thirty (30) days of receipt of information giving rise to need to supplement;
- (g) Motions relating to discovery: **February 4, 2025**;
- (h) All other motions:¹ **February 14, 2025**;
- (i) Pretrial order: To be set by the presiding judge.

IT IS FURTHER ORDERED that the Court must approve any changes to the timing or scope of discovery, other than the parties' agreement to extend the length of a deposition made during the deposition in question. Requests by a party to change the timing or scope of discovery, other than a mutual agreement to extend a deposition reached during the deposition, must be made by motion and before the termination of discovery or the expiration of any applicable deadline. Discovery must be completed on or before the termination of the discovery deadline. A written discovery request must be propounded by a date which ensures that the response to that request is due on or before the discovery deadline. The parties are further

¹ This deadline applies to motions related to the admissibility of experts or expert testimony that may require a *Daubert* hearing, but otherwise does not apply to motions *in limine*. The Court will set a motions *in limine* deadline in a separate order.

reminded that the cutoff for motions related to discovery does not relieve the party of the twenty-one (21) day time period under Local Rule 26.6 to challenge a party's objections to answering discovery. The parties are encouraged to review Federal Rule of Civil Procedure 26(a)(2) to ensure they properly disclose *all* testifying witnesses, not just those for whom a report is required.

A handwritten signature in black ink, reading "Kevin Sweazea". The signature is written in a cursive, flowing style. The first name "Kevin" is written in a smaller, more compact script, while the last name "Sweazea" is written in a larger, more expansive script with a long, sweeping tail on the final letter.

KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE